

**APPLICATION FOR PERMISSION TO CHANGE POINT OF DIVERSION, MANNER
OF USE AND PLACE OF USE OF THE PUBLIC WATERS OF THE STATE OF
NEVADA HERETOFORE APPROPRIATED**

Date of filing in State Engineer's Office NOV 17 2003

Returned to applicant for correction DEC 10 2003

Corrected application filed JAN 20 2004

Map filed DEC 10 2002 under 69302

The applicant **Frehner Construction Co., Inc & Southern Nevada Paving, Inc.** hereby make application for permission to change the point of diversion of a portion of water heretofore appropriated under Decree issued by the Eighth Judicial District Court of the State of Nevada to the waters of the Las Vegas Artesian Basin on December 13, 1999 regarding V05814.

1. The source of water is **Underground**
2. The amount of water to be changed **345 acre feet**
3. The water to be used for **Mining & Milling (as decreed)**
4. The water heretofore permitted for **Mining & Milling (as decreed)**
5. The water is to be diverted at the following point **SW¼ SE¼ of Sec. 13 T23S, R60E, MDM or at a point from which the S¼ corner of said Section 13, T23S R60E, MDM bears S10°31'27" W a distance of 1,309.15 feet.**
6. The existing permitted point of diversion is located within **SW¼ SE¼ Sec. 13 T23S R60E, MDM Clark County Nevada, or at a point from which the SW corner of said Sec. 13, T23S R60E, MDB&M bears S68°53'16" West a distance of 3,110.20 feet.**
7. Proposed place of use see **Exhibit "B" attached to application # 70625T**
8. Existing place of use see **Exhibit "B" attached to application # 70625T, the existing & proposed place of use are one & the same as shown on map V05814**
9. Use will be from **January 1 to December 31 of each year.**
10. Use was permitted from **January 1 to December 31 of each year.**
11. Description of proposed works **drilled & cased well, underground pipelines, 75hp submersible motor & 11 bowl pump, meter serial # 1596429**
12. Estimated cost of works **\$60,000⁰⁰**
13. Estimated time required to construct works **well completed as described in item # 11 above**
14. Estimated time required to complete the application of water to beneficial use **2 yrs.**
15. Remarks: **Upon receiving a permit for the 345 acre feet, we will withdraw Permit # 69302 and allow the temporary (1 year) permit for 152.5 acre-feet to expire.**

By **Philip Nelson**
s/Philip Nelson
4040 Frehner Road
North Las Vegas, NV 89030

Compared sg/cmf ag/sam

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit to change the point of diversion and place of use of a portion of the waters of an underground source as heretofore granted under Permit V-05814 is issued subject to the terms and conditions imposed in said Permit V-05814 and with the understanding that no other rights on the source will be affected by the change proposed herein. The well shall be equipped with a 2-inch opening and a totalizing meter must be installed and maintained in the discharge pipeline near the point of diversion and accurate measurements must be kept of water placed to beneficial use. The totalizing meter must be installed before any use of the water begins or before the proof of completion of work is filed. If the well is flowing, a valve must be installed and maintained to prevent waste. This source is located within an area designated by the State Engineer pursuant to NRS 534.030. The State retains the right to regulate the use of the water herein granted at any and all times.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

The total combined duty of water under Permits 67692, 68459, 68624, 69303, 70404, and 70626 shall not exceed 506.79 acre-feet annually.

Monthly records shall be kept of the amount of water pumped from this well and other wells within the place of use of this permit. Records shall be submitted to the State Engineer on a quarterly basis within 15 days after the end of each calendar quarter. Separate reports shall be made for water pumped under permits and vested rights, and for water pumped under other authorization such as waivers. The monthly record shall identify water right permits and waivers from each well, and include the size, make, serial number, and meter location associated with a well.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.502 cubic feet per second, but not to exceed 345.0 acre-feet annually.

Work must be prosecuted with reasonable diligence and be completed on or before:

N/A

Proof of completion of work shall be filed on or before:

N/A

Water must be placed to beneficial use on or before:

June 2, 2006

Proof of the application of water to beneficial use shall be filed on or before:

July 2, 2006

Map in support of proof of beneficial use shall be filed on or before:

N/A

IN TESTIMONY WHEREOF, I, HUGH RICCI, P.E.

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 1st day of September, A.D. 2004

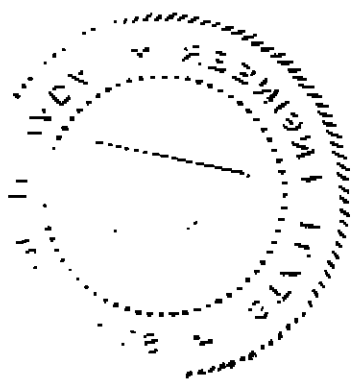

State Engineer

Completion of work filed MAR 12 2004 under 69302

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____



7.4 8. "EXISTING PLACE OF USE..." AS PER ORDER OF
DETERMINATION ON BASE RIGHT V-05814

SECTION	TOWN- SHIP	RANGE	N E				N W				S E				S W						
			NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE			
SECTION: 12	T. 23 S.	R. 60 E.												20.0			40.0	40.0	40.0	40.0	220.0
SECTION: 13	T. 23 S.	R. 60 E.	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	40.0	550.0
SECTION: 18	T. 23 S.	R. 61 E.										40.0	40.0				40.0	40.0			160.0

